

REMARKS

The present amendment is submitted in conjunction with a Request for Continued Examination (RCE) and in response to the final Office Action dated August 7, 2007, which set a three-month period for response, making this amendment due by November 7, 2007, and with the initial two-month period for response expiring on October 7, 2007.

Claims 1-8 and 10-12 are pending in this application.

In the final Office Action, claims 1-0 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,641,634 to Reich et al.

The Applicants strongly disagree with the maintained rejection of the pending claims over the Reich et al reference and believe that the Examiner has been quite liberal in interpreting the claim language in an effort to support the argument that the claims read on the Reich reference. Although the Applicant disagrees with the rejection and the analysis presented in the final rejection, the claims have been amended in this amendment in to clarify the elements.

The amended claims contain no new matter, but only more clearly recite the elements to convince the Examiner as to the previously argued distinctions over the Reich reference.

Claim 9 has been canceled, and new dependent claims 11-12 were added.

As argued previously, Reich only utilizes the dust fan wheel for accelerating the dust particles into the dust box. As can be seen from the figures

in Reich, only one input into the dust box and only one output of the power tool are provided. The motor cooling fan wheel is positioned close to the motor and the dust fan wheel further below close to the grinding wheel. Usually, there is a considerable distance between the two fan wheels.

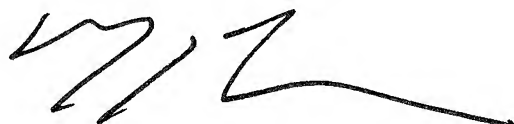
In contrast, with the present invention, both of the air streams are combined, whereby the dust air streams works as a pressure pump inside the dust box and the cooling air stream works as a vacuum pump (see page 2, lines 10-13) on the outer surface of the dust box, amplifying the power of dust extraction in general and especially within the dust box.

For the reasons set forth above, the Applicant respectfully submits that claims 1-8 and 10-12 are patentable over the cited art. The Applicant further requests withdrawal of the rejections and reconsideration of the claims as herein amended.

In light of the foregoing amendments and arguments in support of patentability, the Applicant respectfully submits that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a long horizontal line.

Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700